

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA and
STATE OF NEW JERSEY,

Plaintiffs,

v.

No. 2:17-cv-04540-WB

DONALD J. TRUMP, *in his official capacity as President of the United States*; ALEX M. AZAR II, *in his official capacity as Secretary of Health and Human Services*; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; STEVEN T. MNUCHIN, *in his official capacity as Secretary of the Treasury*; UNITED STATES DEPARTMENT OF THE TREASURY; RENE ALEXANDER ACOSTA, *in his official capacity as Secretary of Labor*; UNITED STATES DEPARTMENT OF LABOR; and UNITED STATES OF AMERICA.

Defendants.

JOINT APPENDIX

JOINT APPENDIX – INDEX			
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<i>Regulatory History</i>			
Exhibit 1	JA-0000001	JA-0000055	Final Religious Exemption Rule, 83 Fed. Reg. 57,536 (Nov. 15, 2018)
Exhibit 2	JA-0000056	JA-0000095	Final Moral Exemption Rule, 83 Fed. Reg. 57,592 (Nov. 15, 2018)
Exhibit 3	JA-0000096	JA-0000097	2017 HRSA Guidelines, 83 Fed. Reg. 8487 (Feb. 27, 2018)
Exhibit 4	JA-0000098	JA-0000141	Religious Exemption IFR, 82 Fed. Reg. 47,792 (Oct. 13, 2017)
Exhibit 5	JA-0000142	JA-0000166	Moral Exemption IFR, 82 Fed. Reg. 47,838 (Oct. 13, 2017)
Exhibit 6	JA-0000167	JA-0000168	Executive Order 13798 (May 4, 2017)
Exhibit 7	JA-0000169	JA-0000179	FAQs about ACA Implementation Part 36 (Jan. 9, 2017)
Exhibit 8	JA-0000180	JA-0000182	2016 HRSA Guidelines, 81 Fed. Reg. 95,148 (Dec. 27, 2016)
Exhibit 9	JA-0000183	JA-0000187	Request for Infomation, 81 Fed. Reg. 47,741 (July 22, 2016)
Exhibit 10	JA-0000188	JA-0000217	Final Rules, 80 Fed. Reg. 41,318 (July 14, 2015)
Exhibit 11	JA-0000218	JA-0000227	NPRM, 79 Fed. Reg. 51,118 (Aug. 27, 2014)
Exhibit 12	JA-0000228	JA-0000237	IFR, 79 Fed. Reg. 51,092 (Aug. 27, 2014)
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Exhibit 18	JA-0000310	JA-0000312	2011 HRSA Guidelines
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Exhibit 20	JA-0000562	JA-0000596	IFR, 75 Fed. Reg. 41,726 (July 19, 2010)
<i>Selected Comments Opposing Rule</i>			
Exhibit 21	JA-0000597	JA-0000608	AccessMatters Comments
Exhibit 22	JA-0000609	JA-0000627	ACLU Comments
Exhibit 23	JA-0000628	JA-0000629	American Academy of Family Physicians Comments
Exhibit 24	JA-0000630	JA-0000639	American Academy of Nursing Comments
Exhibit 25	JA-0000640	JA-0000642	American College of Nurse-Midwives Comments
Exhibit 26	JA-0000643	JA-0000645	American College of Physicians Comments
Exhibit 27	JA-0000646	JA-0000655	American Congress of Obstetricians and Gynecologists, American Academy of Pediatrics, & Society for Adolescent Health and Medicine Comments

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Exhibit 28	JA-0000656	JA-0000662	American Public Health Association Comments
Exhibit 29	JA-0000663	JA-0000669	American Society for Emergency Contraception Comments
Exhibit 30	JA-0000670	JA-0000677	Americans United for Separation of Church and State Comments
Exhibit 31	JA-0000678	JA-0000689	Asian & Pacific Islander American Health Forum Comments
Exhibit 32	JA-0000690	JA-0000699	Black Women's Health Imperative Comments
Exhibit 33	JA-0000700	JA-0000705	California Department of Insurance Comments
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Exhibit 36	JA-0000729	JA-0000744	Center for American Progress (General) Comments
Exhibit 37	JA-0000745	JA-0000762	Center for American Progress (Women With Disabilities) Comments
Exhibit 38	JA-0000763	JA-0000778	Center for American Progress, Autistic Self-Advocacy Network, Autism Women's Network, & National LGBT Task Force Comments
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Exhibit 57	JA-0000967	JA-0000977	Ten Labor, Worker Justice, Citizen Advocacy, Immigration, and Women's Organizations Comments
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Exhibit 59	JA-0000989	JA-0001005	The Leadership Conference on Civil and Human Rights Comments
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Exhibit 77	JA-0001199	JA-0001204	National LGBTQ Task Force Comments
Exhibit 78	JA-0001205	JA-0001212	National Network of Abortion Funds Comments
Exhibit 79	JA-0001213	JA-0001219	National Partnership for Women & Families, Jacobs Institute of Women's Health, Union of Concerned Scientists Comments
Exhibit 80	JA-0001220	JA-0001240	National Partnership for Women & Families Comments
Exhibit 81	JA-0001241	JA-0001247	National Women's Health Network Comments
Exhibit 82	JA-0001248	JA-0001250	New York State Department of Financial Services Comments
Exhibit 83	JA-0001251	JA-0001264	NMAC Comments
Exhibit 84	JA-0001265	JA-0001281	National Women's Law Center Comments
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Exhibit 86	JA-0001287	JA-0001302	Physicians for Reproductive Health Comments
Exhibit 87	JA-0001303	JA-0001309	Power to Decide Comments
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Exhibit 89	JA-0001321	JA-0001327	Professor James Trussell, Princeton University Comments
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Exhibit 91	JA-0001334	JA-0001344	Public Health Solutions Comments
Exhibit 92	JA-0001345	JA-0001359	Raising Women's Voices for the Health Care We Need Comments
Exhibit 93	JA-0001360	JA-0001361	Representatives of Education and Youth Development Communities Comments
Exhibit 94	JA-0001362	JA-0001376	Reproductive Rights and Justice Practicum at Yale Law School Comments
Exhibit 95	JA-0001377	JA-0001383	SisterLove Inc Comments
Exhibit 96	JA-0001384	JA-0001392	State Attorneys General Comments
Exhibit 97	JA-0001393	JA-0001397	Texas House Women's Health Caucus Comments
Exhibit 98	JA-0001398	JA-0001404	Texas Policy Evaluation Project Comments
Exhibit 99	JA-0001405	JA-0001409	Texas Women's Healthcare Coalition Comments
Exhibit 100	JA-0001410	JA-0001428	URGE Unite for Reproductive and General Equality Comments
Exhibit 101	JA-0001429	JA-0001445	Whitman-Walker Health Comments
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Exhibit 103	JA-0001460	JA-0001471	Women's Health and Family Planning Association of Texas Comments
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Exhibit 106	JA-0001502	JA-0001505	Archdiocese of New Orleans Comments
	<i>JA-0001506</i>	<i>JA-0001516</i>	<i>[intentionally omitted]</i>
Exhibit 107	JA-0001517	JA-0001517	Archdiocese of St. Louis Comments
Exhibit 108	JA-0001518	JA-0001522	Association of Catholic Colleges and Universities Comments
Exhibit 109	JA-0001523	JA-0001524	Christian Legal Society Comments
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Exhibit 111	JA-0001529	JA-0001535	The Ethics & Religious Commission of the Southern Baptist Convention Comments
Exhibit 112	JA-0001536	JA-0001541	Family Research Council Comments (Religious Exemption)
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Exhibit 114	JA-0001549	JA-0001551	Locke Lorde LLP Comments
Exhibit 115	JA-0001552	JA-0001554	National Association of Catholic Nurses USA Comments (Religious Exemption)
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Exhibit 120	JA-0001587	JA-0001593	Individual Comments Supporting Rules
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Exhibit 121	JA-0001594	JA-0001599	America's Health Insurance Plans Comments
Exhibit 122	JA-0001600	JA-0001609	Blue Cross Blue Shield Association Comments
Exhibit 123	JA-0001610	JA-0001612	CVS Health Comments
Exhibit 124	JA-0001613	JA-0001616	National Association of Health Underwriters Comments
Exhibit 125	JA-0001617	JA-0001619	Pharmaceutical Care Management Association Comments
Exhibit 126	JA-0001620	JA-0001628	Individual Comments Neither For Nor Against Rules
Studies from Earlier Regulations			
Exhibit 127	JA-0001629	JA-0001661	Bailey MJ, More Power to the Pill: The Impact of Contraceptive Freedom on Women's Life Cycle Labor Supply, Quarterly Journal of Economics (2006)
Exhibit 128	JA-0001662	JA-0001676	Conde-Aguledo, A., et al., Birth Spacing and Risk of Adverse Perinatal Outcomes—A Meta-Analysis, Journal of the American Medical Association (2006)
Exhibit 129	JA-0001677	JA-0001684	Fuentes-Afflick, E., & Hessel, N., Interpregnancy Interval and the Risk of Premature Infants, Obstetrics & Gynecology (2000)
Exhibit 130	JA-0001685	JA-0001705	Gipson, J.D., et al., The Effects of Unintended Pregnancy on Infant, Child and Parental Health: A Review of the Literature, Studies on Family Planning (2008)
Exhibit 131	JA-0001706	JA-0001710	Goldin C & Katz L, Career and Marriage in the Age of the Pill, American Economic Review (2000)
Exhibit 132	JA-0001711	JA-0001752	Goldin C and Katz LF, The Power of the Pill: Oral Contraceptives and Women's Career and Marriage Decisions, Journal of Political Economy (2002)
Exhibit 133	JA-0001753	JA-0001758	Postlethwaite, D., et al., A Comparison of Contraceptive Procurement Pre- and Post-Benefit Change, 76 Contraception 360 (2007)
Exhibit 134	JA-0001759	JA-0001763	Sonfield, A., The Case for Insurance Coverage of Contraceptive Services and Supplies Without Cost Sharing, 14 Guttmacher Pol'y Rev. 10 (2011)
Exhibit 135	JA-0001764	JA-0001783	Testimony of Guttmacher Inst., submitted to the Comm. on Preventive Servs. for Women, Inst. of Med. (Jan. 12, 2012)
Exhibit 136	JA-0001784	JA-0001792	Zhu, B., Effect of Interpregnancy Interval on Birth Outcomes: Findings from Recent U.S. Studies, International Journal of Gynecology & Obstetrics (2005)
Other Documents			
Exhibit 137	JA-0001793	JA-0001929	Preliminary Injunction Hearing Transcript (Dec. 14, 2017) (ECF No. 69)
Exhibit 138	JA-0001930	JA-0001936	Spreadsheet of Litigating Entities (IFRs)
Exhibit 139	JA-0001937	JA-0001963	Spreadsheet of Accommodated Entities
Exhibit 140	JA-0001964	JA-0001970	Spreadsheet of Litigating Entities (Final Rules)

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Exhibit 141	JA-0001971	JA-0001972	ESBA Form 700 Certification (Aug. 2014)
Exhibit 142	JA-0001973	JA-0002194	Kaiser Family Foundation Employer Health Benefits (2017 Annual Survey)
Exhibit 143	JA-0002195	JA-0002199	Jennifer Haberkorn, Two Years Later, Few Hobby Lobby Copycats Emerge, Politico (Oct. 11, 2016)
Exhibit 144	JA-0002200	JA-0002258	Helen M. Alvare, No Compelling Interest The Birth Control Mandate and Religious Freedom (May 1, 2013)
Exhibit 145	JA-0002259	JA-0002283	Michael J. New, Analyzing the Impact of State Level Contraception Mandates on Public Health Outcomes (2015)
Exhibit 146	JA-0002284	JA-0002343	Declaration of Mother Superior Marie Vincente (ECF No. 19-2)
Exhibit 147	JA-0002344	JA-0002363	FDA, Birth Control (Mar. 6, 2018)
Exhibit 148	JA-0002364	JA-0002367	FDA, Is It Really FDA Approved? (Jan. 17, 2017)
Exhibit 149	JA-0002368	JA-0002372	Declaration of Seth A. Mendelsohn, Executive Deputy Insurance Commissioner, PA Department of Insurance (ECF No. 90-18)
Exhibit 150	JA-0002373	JA-0002375	HHS, Introduction: About HHS (last visited May 14, 2019)
Exhibit 151	JA-0002376	JA-0002555	Congressional Record Excerpts (Nov. 30 - Dec. 3, 2009)
Exhibit 152	JA-0002556	JA-0002563	HHS, Trends in Teen Pregnancy and Childbearing (May 14, 2019)
Exhibit 153	JA-0002564	JA-0002569	HHS, Preventive Care Benefits for Children (last visited May 15, 2019)
Exhibit 154	JA-0002570	JA-0002647	Title X Final Rules, 84 Fed. Reg. 7714 (Mar. 4, 2019)
Exhibit 155	JA-0002648	JA-0002649	HRSA, About HRSA (Mar. 2019)